Vol. LXXXII No. 27,730

WEDNESDAY, OCTOBER 18, 1922

Stillman Case Reopened by New Ruling

Justice Tompkins Finds Morschauser Had No Right to Decide on the Report of Referee

Suit Thrown Into Appellate Court

Recalled by Decision

Justice Tompking's decision auto

May Differ With Referee
feeling that Justice Tompkins
he inclined to disagree with
the Gleason grew stronger when
as remembered that it was Mr.
man attorneys who were anxious
in the referee's report come up
thim for approval or rejection,
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Morschauser rendered his de-on October 6.

the special term in White had rendered its decision the eepsie order was dropped, and mportance was attached to the hearing which was held before Justice Temphins the next day. The two orders were referred to as "odds and ends" of the litigation, and it was generally believed that the banker had no recourse left beyond an appeal to the higher courts from Justice Morschauser's findings. The decision filed in Nyack apparently came as a complete surprise to every one. The vigor with which Justice Tompkins asserted that the special term before him had exclusive jurisdiction was considered startling.

warting.
"My conclusion is," he wrote, after summing up the situation, "that inasmuch as it does not appear that there was any special or great reason for granting the order to show cause returnable two days later before another special term, and three days before the return day of plaintiff's notice of motion previously served, that the special term in Nyack on October 7 had exclusive jurisdiction of the matter, and that the special term in White Plains was without jurisdiction to hear the motion on October 4 or decide it on October 6, and that the special term in Poughkeepsie was likewise without jurisdiction." I think that accomplished.

Says Case Is Confused

helds."
At the time of the hearing on October 7 Justice Tompkins expressed in the uncertain terms his opinion of the Stillman's attorneys for taking the case before Justice Morschauser then they knew that a prior motion has pending before him. In reserving facision he declared that the "prosedings in this matter are not commission he declared them as mighly irregular and improper."
The attorneys for the defense contained at the time that the decision a white Plains deprived Justice Tomptan of jurisdiction.

ell," remarked the attorney, "if honor feels that way about it is no use arguing." mission to present his argument ater granted, but the lawyer leading the appeared before Justice kins three days later inatead.

hildren Killed by Train

Fresh Riots in Italy; Parma in Grip of Reds

ciated Press).—Disorders, the outgrowth of the animosity between the Fascisti and the Socialists and Communists, are taking lace in the principal centers of Italy. At Parma, an entire quarter of the city is said to be in the hands of an alleged Bolshevik gang. The city is virtually in a state of siege.

be heard. Armored cars are being used by the Carabineers and to separate the opposing factions.

Many persons have been wounded,
among them Carabineers and

'At' a Cabinet council here today, it was decided to call Par-

News Summary

Federal court grants, temporary injunction against interfering with liquor on American and foreign

reopens Stillman case in decision challenging jurisdiction of Morschauser court to confirm referes. Cohalan, in first speech of cam-

paign, says Murphy, tried to interfere in Pulitzer estate appraisal. Widow of murdered rector and two brothers are questioned; prosecutor gives out choir singer's letters. Nicholas Murray Butler suggests

Jersey City children made ill by candy containing saw dust and pins. Four times as many school children on part-time now as in 1918, says Howard Nudd.

Mrs. Giberson badly shaken at trial for murder of husband; verdict expected to-day.

nearly \$2,000,000,000 in talk on Hard-

charges Transit Commission ob-Republican candidates, led by Governor, refuse to answer women

Harding has restored confidence of taxpayers, Senator Wadsworth says. Singer entertains insane in test of

Republican Aldermen attack O'Malley on amendment to public markets

country for immediate vote of con-

Mustapha Kemal's gendarmerie to-France and Britain agree provisionally on postponement of Brussels

WASHINGTON Helium to replace inflammable gas

in army and navy balloons as result of burning of the C-2. Wets announce their choices for Congress in the November elections. Rail Labor Board, rather than abolish

set a new record.

Governor Miller explains shakeup in Highway Department; says it was inefficient under Smith.

Smith says Governor repudiates reorganization plan of Republican leaders; criticizes Federal budget.

Georgia.

Cyclops wins Hartsdale Stakes at

Empire City track. New York Boxing Commission invites middleweight contenders to fight for supremacy. Baseball commissioner's office

mails world's series money to Giant and Yankee players.

jumps 20% points in conneconsideration.

John D. Rockefeller Jr. at Battle Creek Sanatorium

Special Dispatch to The Tribune BATTLE CREEK, Mich., Oct. 17.— John D. Rockefeller Jr. arrived in Battle Creek this morning unan-nounced and went immediately to the

ers, saying he was at the sanktorium for rest and treatment. He absolutely

Brothers Also Disturbed as

erime which they have not yet shared with the investigators.

eters, her friend and confidente; Wilie Stevens and Barbara Tough, the housemaid, were taken in a closed car to the courthouse. Detective David Dissolution of Parliament secompanied them. Henry Stevens alier and alone, coming from Lavalette where he has a summer bungalow. Detectives Hold Off Reporters

Detectives Hold Off Reporters

The Hall party was headed into the courthouse by detectives, who sprang to protect them from the crowd of reporters. They first essayed an entrance by the basement door, but this was locked, and they had to run the gantlet of the curious around the courthouse steps and enter through the main door. They were taken to the office of Prosecutor Beekman, on an upper floor, and detectives were posted outside the door to keep the newspaper men at bay.

men at bay.

The Hall warty arrived at about 11:30. At noon Charlotte Mills arrived, accompanied by a state trooper. She also was taken to the prosecutor's

office.

It was 1:30 before the examination was completed and the interested parties released from the prosecutor's office, Mrs. Hall, wearing the double black veil which she has affected in all her public appearances since the tragedy, came first leaning heavily on the arm of Miss Peters. At her side was Timothy N. Pfeiffer, of New York, her counsel. Mr. Pfeiffer's presence in the room had not previously been known. He had not been officially told of the projected sweep upon his client and her friends, and he atrived after the examination had been going forward for some time. He threw his raincoat around Mrs. Hell's head to protect her from the pointing cameras and helped her into the car which was waiting at the curb.

information received which cannot be disclosed. We do not intend the arrest of any person to-day and any other statement than the above is unauthorized."

Finally between 4 and 5 Mrs. Hall's counsel, Timothy Pfeiffer, held source, where he submitted to a strentouse, where he submit

Dr. Fosdick's Sermon Assailed

By Philadelphia Presbytery

Hall Widow Butler Calls on Parties to Merge Cohalan Says Near Collapse Against Radicals Inside and Out Murphy Tried

As Quiz Ends Favors Democratic-Republican Union to Clarify To Run Court Issues and Take Battle for Constitution to the People; Basically the Two Are One, He Says

would bring about "an honest and sincere division of political forces in this country." Under such reorganization, he declared, constructive libe als would be brought face to face with destructive radicals and with the question whether our Federal form of government, established by the Constitution, should be preserved or discarded.

"An overwhelming majority of Americans." Dr. Butler continued, "believe in their Constitution, their form of government, their guaranties of civil and political liberty and their inde-

By Arthur S. Draper

LONDON, Oct. 17. - Premier Lloyd

They Quit Courthouse;
Officials Think Rector's
Family Hides Something
Prosecutors Cover
Up New Evidence
Charlotte Mills's Attorney
Ordered to Return Love
Notes Sold for \$1,000

The Mills's Attorney
Ordered to Return Love
Notes Sold for \$1,000

The Mills's Attorney
They are a staff Correspondent'
New Brunswick, N. J., Oct. 17.—
From the mass of conjecture, some logical and much nothing but the wildest guesswork, one fact developed in the happenings here to-day. That was the plainly indicated circumstance that the plainly indicated circumstance that the prosecuting authorities who have charge of the investigation into the Hall-Mills

The formation of a Democratic-Republic authority which would represent the "predominant liberalism of our present the "predominant liberalism of our proposed by a political group of radicals from within and without the two major parties, was recommended last night by Nicholas Murray Butler, president of Columbia University, in an address opening the tenth year of the Institute of Arts and Sciences at the Horace Mann Auditorium.

Coalescence of the two old parties, Dr. Butler said, would lead to the organization, the declared, constructive libe also would be proposed by steadily increasing numbers of his fellow citizens. But he is not entitled to his opinions and to do what he proposed by the Constitution, should be preserved or discarded.

"An overwhelming majority of America as we know it. The struggle for place and for public authority successions for its own peculiar views against the will and the principles of the same party name.

The radical and destructionist is entitled to his opinions and to do what he proposed by steadily increasing numbers of his fellow citizens. But he is not entitled to his opinions and while wearing a false uniform. So long as present party conditions continue, destructive radicalism whether our Federal form of government, their guaranties of evil in the happenings here to-day. That was the proposed the same proposed by steadily increasing numbers of hi

New Premier Possible Boulogne Probable Site

Coalition Confident That Poincare Urges Quick Estab-Unionists Will Not Be lishment of Allied Con-Able to Form a Ministry

principle to-day to postpone the Brus-

Premier Poincare wired his consent to the postponement, which had been suggested by Lord Curzon, with the condition that the Reparation Commission take no action in the mean time on the British plan, butlined by Sir John Bradbury, which envisages permitting Germany to issue a five-year series of bonds in lieu of cash pay
series of bonds in lieu of cash payhell!"

"Then said Murphy: 'What have you got to say about it?"
"I replied: 'Then the Surrogate and Y'll spend the next ten years showing you what I've got to say about it."
"Hold on,' said Murphy, 'I'm going to pass your salary increase bill.'

"I answered: 'I den't give a damn show the salary bill. You can go to hell!" protect her from the pointing current. The state of the s

ists to visit the devastated areas until
they have made a beginning on their
part of the contract. Stinnes and his
group had proposed a preliminary tour.
Meanwhile it is reported here that
Stinnes and his partners have come to
doubt the advantages of their agreement at d have been seeking to dodge
its fulfillment

Liner Lenape Aground

Clyde Steamer for Jacksonville Believed Safe With Two Tugs and Vessel Standing Ly

PHILADELPHIA, Oct. 17.—Protesting that doctrine contrary to the Presbyterian confession of faith is being preached from the pulpit of the First Presbyterian Church of New York City, the Presbyterian Church of New York City, the Presbyterian Church of the United the General Assembly of the Presbyterian Church of the United States of America to take cognizance of this alleged fact, it became known here to-day. It was understood that the action taken by the local body was inspired by the Rev. Dr. Clarence Edward McCartney, pastor of the Arch Street Presbyterian Church.

The Ray. Dr. Harry Emerson Fosdick, a Reptist clergyman and a product of the Bible with the Koran.

Declares Boss Asked Him to Go Easy in Pulitzer Estate Appraisal to Win Favor of "N. Y. World"

Pending Salary Bill Was Used as a Club

Told Him to Go to Hell,

Judge Asserts; Tammany Chief Denies Charges Surrogate John P. Cohalan at last night's rally at the Town Hall charged

that Charles F. Murphy, the Tammany eader, denied him a renomination be cause Murphy could not control his The independent candidate for Sur

rogate specified one instance where he alleged Murphy attempted to interfere with his decisions as judge of the

of the late Joseph Pulitzer, owner of The New York World" and "The St. Louis Post-Dispatch," according to Co-halan. This, he said, occurred in the early part of 1913. Murphy's talk with Wait U. S. View early part of 1913. Murphy's talk with him, Cohalan said, took place at Tam many Hall. The conversation between the Tam-

many leader and the Surrogate, as re lated by the latter last night, follows "Murphy began the conversation by Reparations Conference; telling me that he admired courage Near East Meeting Oct. 20 but was sorry to see me antagonize powerful newspaper. Then said Mur

phy:

"'Don't think I'm trying to influence your decision. I want you to help me with "The World" matter. Go easy with them if you can."

"I don't follow you,' I replied. 'What's that got to do with the bill?"

"'Well,' said Murphy, "The World" has been on my neck for a long time, and I think if you don't push them too hard it wouldn't hurt any of us.'

"I said: 'I understand you thorough-ly. But while I'm Surrogate I'll make the decisions.'
"Then Murphy turned his back on manage mumbled."

me and mumbled.
"I said: 'Turn around here. I'm not one of your bartenders. You can't treat me that way. What have you got

The French Premier also accepted a secondary proposal made by Lord Curzon that the preliminary conforence on the question of Near-East peace be held October 20 with the condition that it not be held in London. The British Foreign Minister suggested that this meeting be either in London or at some point in France to be designated.

Poincare believes it would be imprudent to meet in London in view of the attitude of the present government toward Turkey as shown in Lloyd George's Manchester speech, and that it probably would excite the suspicion of the Angora government to the Angora government to the detriment of the final settlement. He proposed a French meeting place and it is believed he leans toward Boulogne.

Lausanne Is Fåvored

For the main peace conference Poincare favors Lausanne, Switzerland, having suggested that the territorial, military and economic questions be discussed there at the same time as the Straits settlement.

Messages from London said that Sir Robert Horne, Chancellor of the Extracts without Murphy's support or approval, and that it was the people of the Bronx who had him nominated for Surrogate in spite of Murphy's opposition.

Cabinet Undecided on Liquor Ruling Change

Cabinet to-day discussed the Daugherty liquor ruling as it af-fects foreign shipping, but came to no decision on the suggestio made in some quarters that the President ask Congress to modify the Volstead act to exclude foreign-owned craft.

The President was said to favor waiting for an interpretation of the Daugherty order by the courts before deciding on the next step. It was suggested that one solution of the problem would be for the United States to permit foreign vessels to seal their stocks of liquor when they reach the threemile limit.

The regulations for the enforce nent of the Attorney General's ruling will not be promulgated be

Burning of C-2 May Spell End of Hydrogen Craft The stay was ordered in the suits brought by the ten largest ocean

Destruction of Dirigible With Injuries to Seven and Series of Disasters

Plan to Use Only Helium additional briefs. He said:

Will Seek Appropriation for Sufficient Non - Inflam-

ing the last two years, it was officially

stated to-day. The C-2 caught fire just before she lope and the hydrogen gas immediately caught fire. Seven men were injured

To Cut Rates He Thinks High

Win Stay on Liquor Edict

Federal Judge Hand Halts the Enforcement of Daugherty Order

Wine Stocks Safe **Pending Appeals**

Vessels Not "Territory," Hence Not Subject to Volstead Act, Is Plea

ing the various United States gov-ernment prohibition enforcement departments from interfering in any way with liquor stores on both foreign and American ships was granted yesterday by Federal District Judge Learned Hand.

steamship companies in the world to test the Attorney General Daugherty bone-dry ship ruling. The court reserved decision on the matter of a permanent injunction after an all-Prompts Official Action day argument. Judge Hard granted counsel until this afternoon to fil

"The government has granted a stay only until October 21," said Attorney Cletus Keating, representing the International Mercantile Marine Company. "We must have an order as assurance that these ships will not be interfered with. We have no assurance that the government will not proceed with enforcement of the Attorney General's ruling after next Saturday."

decision by Christmas?" asked Mr. Hey do.
"I believe I will have decided this case by Christmas," smiled the court, "and the stay will be operative even if I should fail to reach a decision until after October 21."

Asked by counsel jointly if they would be permitted to file additional briefs; the court said he would not consider any brief filed later than this afternoon.

gas to meet all the needs of the serve seeds.

New Craft to Use Helium
Designs for airabiga now building all call for the use of helium gas. The dings of the serve competition of the serve at the control of the serve all the serve seeds of the serve seed of the serve seeds of the serve seed of the serve seeds of the serve of the serve seeds of the serve seeds of the serve of the serve seeds of the serve of the serve seeds of the serve of the serve of the serve seeds of the serve of the serve seeds of the serve of the serve seeds of the ser

Jurist's Severe Criticism of Wife's Counsel Is

Supreme Court Justice Arthur S. empkins yesterday quietly slipped a g monkey wrench among the wheels h have been carrying Mrs. Anne special term of the Supreme Court White Plains to confirm the finds of Referee Gleason in favor of defendant and asserting that the special term which had jurisdicwas that before him in Rockland

ustice Tompkina's decision autoically reopens the case and sends
to the Appellate Division for deteration of the jurisdictional quesAnd it is couched in such terms
to create the belief in many quaris that if the higher court sustains
opinion he is likely to refuse to
ow Justice Morschauser's lead in
taining the referee's report absolvMrs. Stillman of misconduct.
ustice Tompkins closes his decision
olining that a "desire not to add to
disorder and confusion at this time
ments his exercising the jurisdicn" which he claims, and it was
mited out that were he inclined to
port the referee a separate decision
the merits would hardly have added
much to the confusion as has the
ments which he took yesterday throwing
which case open.

lurisdiction. "I think that counsel for the plain-iff think that counsel for the plain-iff fully reserved the right to bring the motion on before the special term in Nyack by presenting and filing ob-lections before the White Plains spe-dal term.

Says Case Is Confused

"Inasmuch as the matter was detided and the order above referred to
was made by the justice holding the
special term in White Plains I will not
add to the confusion and disorder of
the case by undertaking at this time
to exercise the jurisdiction which I
hink this court has acquired and still
helds."

of jurisdiction.

White Plains on October 4 the tur's lawyers moved for a dismissal the motion there on the ground of earlier motions in Nyack and tkeepsie, ution denied," the court ruled

ROME, Oct. 17 (By The Asso-

Rifle firing and the explosion of bombs in the affected district can

liament into session November 11.

LOCAL

Supreme Court Justice Tompkins

union of Republican and Democratic parties to oppose radicals.

Ogden L. Mills shows saving of Hylan imposes on public by blocking subways, says McAneny; Mayor

voters' questionnaire.

Premier Lloyd George expected to dissolve Parliament and appeal to

inter-Alled debt conference,

Harding to strengthen hands of

it, as Secretary Davis urges.
Savings deposits in national banks DOMESTIC

General Pershing to review veterans" parade at convention of American Legion in New Orleans to-day. Walter F. George nominated for Senate in bitter primary fight in

MARKETS AND SHIPS Vacuum, Oil Company proposes 00 per cent stock dividend; "Mex tion with reports of stock dividend

Stock prices tend upward in irregu-

Mr. Rockefeller declined to see call-

ragedy of September 14 have returned to their original theory that the members of the murdered clergyman's household have some knowledge of the Lloyd George

Early to-day the net was cast at the Hall house, and Mrs. Hall, Miss Sallie

discuss the interview with the prosecutor.

The can it was 2:30 before Charlotte Mills appeared. She again was accompanied by a state trooper who refused to permit, her to be questioned.

Later in the afternoon Prosecutor Bekman, prefacing his statement by the remark that he was feeling ill and not time to bother with reporters, issued this brief official report of the occurrence:

"We have to-day examined Mrs. Frances N, Hall and her brothers, William and Henry Stevens. These examinations were prompted by some new information received which cannot be disclosed. We do not intend the arrest of any person to-day and any other statement than the above is unauthorized."

Hall's coursel. Time the man is the continued as point in the new prosed a french meeting place and in the unionist party and the tempers of the "die-hards" are not favors Lausanne Is Favored

For the main peace conference Pointage and not time to bother with reporters, issued this brief official report of the occurrence:

"We have to-day examined Mrs. Frances N, Hall and her brothers, William and Henry Stevens. These examinations were prompted by some new information received which cannot be disclosed. We do not intend the arrest of any person to-day and other statement than the above is unauthorized."

Finally between 4 and 5 Mrs. Hall's coursel. The situation of the party. The distances it will not represent the real position of the party. The situation for the proposed trip to the United States to discuss the funding of the British debt because he would be engaged in election and the proposed trip to the United States to discuss the funding of the British debt because he would be engaged in election and the proposed trip to the United States to discuss the funding of the British debt because he would be engaged in election and the proposed trip to the United States to discuss the funding of the British debt because he would be engaged in election and the proposed trip to the United States to discuss the funding of the British debt because he wo

Allies Postpone DebtParley and Ready to Test Grip on Power

Unsettled British Political Situation Also Holds Up and an Immediate Call for Election Are Predicted if Chamberlain Wins

> trol OverGermanFinances Copyright, 1922, New York Tribune Inc. PARIS, Oct. 17.—The French and British Foreign Offices agreed in sels inter-Allied reparation and debt

French Demand Reconstruction

By Wireless to The Tribune
Copyright, 1922, New York Tribune Inc.
BERLIN, Oct. 17.—Senator Lubersac,
of France, arrived in Berlin to-day to
demand from Hugo Stinnes and his associates the immediate execution of
the Stinnes-Lubersac agreement for
French reconstruction work or its
nullification.

The differences between Lubersac
and Stinnes have become so serious
that the French government has refused to sermit the German industrialikts to visit the devastated areas until
they have made a beginning on their

With 247 Passengers

JACKSONVILLE, Fla., Cct. 17 .- The JACKSONVILLE, Fla., Cet. 17.—The steamship Lenape, queen of the Clyde Line fleet, with 247 passengers aboard, bound from New York for this port, went aground off the St. John's bar today and was still hard and fast tonight. Two tugs and a steamer were standing by while the Lenape maintained constant wireless communication with her sister ship, the Arapshoe, here. No danger was felt for the passengers, although the weather was becoming heavy.

The Lenape registers 8,888 tons.

fore the end of the week.

Sufficient Non-Inflammable Gas for Service

From The Tribune's Washington Bureau
WASHINGTON, Oct. 17. — The deruction by fire of the army dirigible 2 at San Antonio, Tex., to-day unpubtedly marks the disappearance of the last lighter-than-air craft supported with inflammable hydrogen. The distinct of the support of disasters to ships of this type durates a support of the support truction by fire of the army dirigible C-2 at San Antonio, Tex., to-day un the last lighter-than-air craft supof disasters to ships of this type dur-

Cohalan, and therefore had a right unmake him, Cohalan tofd his hearers that he served two terms in the Legislature as a representative from Bronx districts without Murphy's support or approval, and that it was the people of the Bronx who had him nominated for Surrogate in spite of Murphy's opposition.

Murphy Denies Charge

Mr. Murphy sent to the newspapers a few minutes after the meeting was ower a statement, which read:

"The only interview I ever had with Judge Cohalan since he has been on the Bench was one of his own seeking, when he called at Tammany Hall to ask my aid in the passage of a bill to take away from the State Comptroller the power to appoint transfer tax approximates and give it to the Surrogates."

If told him that was a matter sole-ly for the Legislature. His assertion (Costinues on sage fewr)

Without and the felicists are representative from Bronx and that the served the legislature. His assertion (Costinues on sage fewr)

The following radiogram was received here late this afternoon from Major N. A. Strauss, the commanding of the C-2:

"C-2 completely destroyed while maneuvering from hangar at 9:15 this morning. Cross hangar wind of fifteen miles with octasional stronger gusts. Handling crew of 100 men. When ship was approximately one-half out of langar strong gusts forced ship to ground. Orders given to meneuver ship back isto hangar immediately, fits in maneuver started section of fabric six feet in diameter, to which handling guy's and patches were secured, pulled out, followed by breaking of two windward handling guys, then followed by falling off of patches of third windward handling guy. Ship went to lee-ward handling and handling for patches of third windward handling guy. Ship went to lee-ward handling and handling for patches of the same of the country of the legislature. His assertion than the same of the country of the legislature and the same of the country of the legisl

Harding to Use Tariff Powers

10 Ship Lines

Temporary Injunction by

A temporary injunction restrain-

"The matter of the greatest impor General's ruling pending appeals of

Seek Longer Stay

From The Tribune's Washington Bureau
WASHINGTON, Oca' 17.—Speedy application of the flexible tariff provisions to the trade situation is strongly desired by President Harding, according to prominent members of his official family.

It was declared to-day that the stress laid by the President and the desirability of compension is a consellors of the reduction of the flexible tariff and the desirability of co-operation with other nations in respect to trade was of much more mignificance than appears on the surface. The President is said to feel that some of the rates in the new tariff law are too high and will not justify them asilves in practice, and that it is demanded in practice, and that it is demanded